

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mattel, Inc.,

Plaintiff,

—v—

Agogo Store et al.,

Defendants.

21-cv-1507 (AJN) (SLC)

ORDER

ALISON J. NATHAN, District Judge:

On November 5, 2021, the Court referred Plaintiff’s motion for default judgment against Defendants to Magistrate Judge Sara L. Cave. Dkt. No. 36. On January 31, 2022, Judge Cave filed a Report & Recommendation recommending that the Court grant Plaintiff’s motion for default judgment against Defendants. Dkt. No. 39.

When considering the findings and recommendations of a Magistrate Judge, the Court may “accept, reject, or modify [them], in whole or in part.” 28 U.S.C. § 636(b)(1). The Court must make a *de novo* determination of any portions of a magistrate’s report or findings to which a party raises an objection, and reviews only for “clear error on the face of the record” when there are no timely objections to the Report & Recommendation. *Banks v. Comm’r of Soc. Sec.*, No. 19-cv-929 (AJN) (SDA), 2020 WL 2765686, at *1 (S.D.N.Y. May 27, 2020); *see also Brennan v. Colvin*, No. 13-cv-6338 (AJN), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F. Supp. 2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with “the definite and firm conviction that a mistake has been committed.” *Laster v. Mancini*, No. 07-cv-8265 (DAB)

(MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

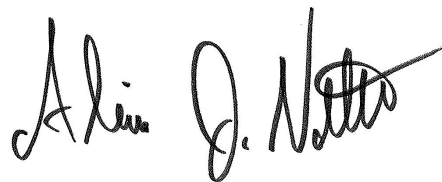
As of this date, no objections to the Report & Recommendation have been filed, and the deadline for objections has passed. *See* Dkt. No. 39 at 26. Thus, the Court reviews the Report & Recommendation for clear error, and it finds none.

The Court therefore adopts the Report & Recommendation in its entirety and GRANTS Plaintiffs' motion for default judgment against Defendants. The Court also orders (1) judgment be entered in favor of Plaintiff and against Defendants in the amount of \$1,450,000.000, plus post-judgment interest; (2) a permanent injunction be entered; (3) an asset restraining notice be served pursuant to C.P.L.R. § 5222; (4) the automatic stay imposed by Federal Rule of Civil Procedure 62 be dissolved and the judgment be enforced immediately; and (5) Plaintiff's \$5,000 bond be returned upon the final disposition of the case.

This resolves docket number 36. The Clerk of Court is respectfully directed to enter judgment in accordance with the Report & Recommendation and close this case.

SO ORDERED.

Dated: February 22, 2022
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a long, sweeping horizontal stroke extending to the right.

ALISON J. NATHAN
United States District Judge